

1 MCDOWALL COTTER, APC  
2 David S. Rosenbaum, Esquire (Cal. SBN 151506)  
3 2070 Pioneer Court  
4 San Mateo, CA 94403  
5 Telephone: (650) 572-7933  
6 Facsimile: (650) 572-0834  
7 drosenbaum@mcdlawyers.net

8  
9 THE BAYNE LAW GROUP LLC  
10 Andrew J. Bayne, Esquire (AB-1142)  
11 230 Park Avenue, Suite 1000  
12 New York, NY 10169  
13 Telephone: (212) 679-2205  
14 Facsimile: (212) 679-2208  
15 abayne@baynelaw.com  
16 *Associated Counsel*

17 Attorneys for Plaintiff, Delegat's Wine Estate Limited

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25 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA-SAN FRANCISCO DIVISION**

DELEGAT'S WINE ESTATE LIMITED

Plaintiff(s),

v.

Civil Action No. C-10-02215 BZ

AMERICAN WINE DISTRIBUTORS, INC. and  
MICHAEL DENNY, individually,

Defendant(s),

**ADMINISTRATIVE MOTION BY  
PLAINTIFF FOR PERMISSION TO  
APPEAR AT PRETRIAL  
CONFERENCE VIA TELEPHONE**

Plaintiff, Delegat's Wine Estate Limited ("Delegat's"), respectfully submits the within administrative motion for permission for Plaintiff's counsel admitted pro hac vice, Andrew J. Bayne, to appear telephonically at the additional Pretrial Conference scheduled for Wednesday, February 8, 2012 at 2:00pm in Courtroom D before the United States District Court 15<sup>th</sup> Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102. (Docket #100).

Plaintiff makes this administrative motion before this Honorable Court at this time to seek to limit additional travel time and expenses for Plaintiff unless the Court deems them necessary for the

1 efficient administration of justice in this matter. In anticipation of commencement of trial  
2 scheduled on February 13, 2012, and for courtroom preparation on Friday, February 10, 2012 as  
3 instructed by this Court, Plaintiff's counsel has made travel and accommodation arrangements to  
4 arrive in San Francisco, California in the evening of Thursday, February 9, 2012.

5 Additionally, in anticipation of the trial schedule, and following the recent pretrial filing  
6 deadlines, Plaintiff's counsel has calendared other client matters pending at The Bayne Law Group  
7 LLC to be addressed at his office on February 7 and February 8; both of which days would become  
8 additional out-of-office unplanned travel days in order to insure prompt attendance by counsel at the  
9 February 8, 2012 conference before this Court. Removing these days from Plaintiff's counsel's  
10 general practice will be problematic for both counsel and those engaged clients for whom certain  
11 legal services have been committed.

12 To date, Plaintiff has endeavored to provide this Honorable Court with a thorough and  
13 timely pretrial presentation and recognizes the Court's concern for another Pretrial Conference  
14 following the latest submissions. Respectfully, Plaintiff's counsel requests the opportunity to  
15 address the Court's concerns by telephone if at all practicable.

16 Plaintiff's counsel seeks the Court's guidance and consideration in this matter to avoid  
17 making changes to the scheduled travel arrangements if telephonic appearance would suffice on  
18 Plaintiff's part. Further, if required, Plaintiff's local counsel will be able to appear in person while  
19 Mr. Bayne appears by telephone at the Conference.

20 Accordingly, Plaintiff submits that if it is at all possible for him to participate in the  
21 additional pretrial conference before this Honorable Court telephonically, this will provide the  
22 benefit of counsel being in-office for the balance of February 8, should this Honorable Court require  
23 any additional documentation to be generated by Plaintiff following the February 8 Conference.

1 Further, as stated, telephonic appearance would be very helpful in accommodating the various client  
2 matters requiring counsel's in-office attention as well as.  
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4 For the foregoing reasons, Plaintiff respectfully requests that this Honorable Court grant  
5 Plaintiff's administrative motion.  
6

7 Respectfully submitted,  
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9 DATED: February 3, 2012  
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11 MCDOWALL COTTER, APC  
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13 By: David S. Rosenbaum /s/  
14 David S. Rosenbaum, Esq.  
15 Attorney for Plaintiff  
16 Delegat's Wine Estate Limited  
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18 THE BAYNE LAW GROUP LLC  
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20 By: Andrew J. Bayne /s/  
21 Andrew J. Bayne, Esq.  
22 Attorney for Plaintiff  
23 Delegat's Wine Estate Limited  
24 *Admitted Pro Hac Vice*  
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26 DATED: 2/6/2012  
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